

## **District II Advisory Board Minutes**

**January 8, 2007**

[www.wichita.gov](http://www.wichita.gov)

The District II Advisory Board meeting was held at 7:00 p.m. at the Rockwell Branch Library, 5939 E. 9<sup>th</sup> Street North. 11 board members, 10 staff and approximately 7 citizens were in attendance. Only those individuals who signed in are listed as guests below.

### **Members Present**

Marty Weeks  
Tim Goodpasture  
David Mollhagen  
Phil Ryan  
Daryl Crotts  
Larry Frutiger  
Joe Johnson  
Brian Carduff  
Sarah Devries  
Aaron Mayes  
Matt Hesse  
Council Member Sue Schlapp

### **Staff Present**

Officer Lloyd, CP – Patrol East – Beat 37  
Patricia Houston – Community Educator  
Debbie Nguyen – Community Educator  
Shawn Mellies, Public Works Engineer  
Gary Janzen, Public Works Design Engineer  
Paul Gunzelman, Traffic Engineer  
Donna Goltry, MAPD  
Kurt Schroeder, Superintendent of Central Inspection  
Don Henry, Environmental Services Manager  
LaShonda Porter, Neighborhood Assistant

### **Guests**

Joyce Middleton, 2243 Bramblewood #1004  
R Russell, 2700 E. 4<sup>th</sup> Avenue  
Max Weddle, 826 S. Zelta Court

## **ORDER OF BUSINESS**

### **CALL TO ORDER**

The meeting was called to order at 7:00 p.m.

**DAB** did introductions and **CM Schlapp** explained the purpose of the District Advisory Board and how the meeting for District II is conducted.

### **APPROVAL OF MINUTES AND AGENDA**

Board member **Aaron Mayes** motioned to move item 6 before item 4 on the agenda. Motion passed 11:0 (**Mayes: Carduff**)

The meeting agenda for January 8, 2007 was approved with above revision (**Goodpasture: Frutigier, 11-0**)

The meeting minutes for December 4, 2006 were approved as submitted (**Goodpasture:Frutigier, 11-0**)

### **PUBLIC AGENDA**

1. **Scheduled items**

**Pure & Simple Lifestyles, Kristen Whitney**, was not in attendance no action taken.

2. **Off-agenda items**

No items were submitted.

**STAFF REPORT**

3. **Community Police Report**

**Officer Lloyd, 37 Beat (Patrol East)**, provided statistics on the 2006 citywide gang activity.

Some of the statistics quoted were:

- 167 guns seized
- 746 gang members apprehended with some of the cases still pending.

**DAB members** were interested to know how many convictions resulted from these arrests; what percentage of the gang population has been arrested, and an elaboration on the statistics as they relate to District II. **Officer Lloyd** explained that this information is compiled by Lt Jeff Easter and that he would be able to provide more specific details.

**Officer Lloyd** discussed how both him and **Officer Shirkey** assisted two families in need during the holiday season. He expressed that their assistance to these families allowed them to provide the families with a different perspective of Wichita, which lead them to remain in the Wichita area. **Officer Lloyd** also explained that one of the families is having difficulties finding work. **Officer Lloyd** will continue to look for resources to help the family.

**Officer Lloyd** also discussed the K-Mart building located at 8600 E. Kellogg. **Officer Lloyd** has met with City staff in Property Management and was advised that the building was going to be demolished, however, this has not occurred. **Officer Lloyd** has expressed concern with the security and safety of the building and consistent gang graffiti. He advised that the property has become an illegal dumping site on the north side of the property and that a car has been torched behind the building as well.

**Board members** wanted to know the status of the property since the City owns it. **Board members** suggested that the City should sell the building so that it is no longer under the control of the City or turn on the lights on the property, to try and deter some of the illegal activity. **CM Schlapp** has requested that a meeting be scheduled with City staff to determine the plan for this building. **LaShonda Porter** will bring the appropriate parties to the table for discussion.

The **Board** thanked the **Officer Lloyd** for his report.

**Action Taken:** Received and filed.

**NEW BUSINESS**

4. **Traffic**

**Paul Gunzelman, Traffic Engineer**, presented the Board with information on the different responsibilities of the traffic department. He discussed street lighting, parking restrictions, signage, and an accident database that is used to help with decisions.

### Residential Street Lighting

- a. New Subdivisions – A streetlight will be installed at each intersection. Mid-block lights will be installed if the distance between intersections exceed 1,000 feet or as necessary to enhance traffic safety on curvilinear streets.
- b. Developed Areas – The traffic engineer will investigate requests for additional streetlights or the shielding or removal of existing lights on a case-by-case basis. Factors considered are conformity to subdivision regulations, proximity to hazards such as railroad tracks, open drainage ways or dead-ends, shading by heavily treed streets and a comparative study of streetlights in adjacent blocks.
- c. Newly Annexed Neighborhoods – At the first request from a resident of a newly annexed area, the Traffic Engineer will poll the neighborhood to determine the amount of interest. If a simple majority of the responses are in favor of lights, they will be installed in the neighborhood.

### Arterial Street Lighting

- a. Newly Reconstructed Arterials – Lights will be installed to conform to 75% of IES (Illuminating Engineering Society) standards as outlined in the American National Standard Practice for Roadway Lighting published in 2000 and reaffirmed in 2005.
- b. Older Arterial Streets – Lights may be requested on older, unlit arterial streets – typically recently annexed.

### Parking Restrictions

Parking restrictions are handled through a petition process. The citizens on the side of the street that the parking signs will be located must have at least 75% of the citizens in agreement with the parking restriction (i.e. no parking signs, restricted parking – 2-hour parking) in order for the petition to be consider valid. NOTE: The City of Wichita cannot just designate an area as no parking; all parking restrictions must go through this petition process.

**Paul Gunzelman** also explained that information from the accident database is used to determine if a street warrants a stop sign, intersection improvements, and/or adjustments to signalized timing. He also advised that for 2007, District II will have two locations that will receive stop lights: 13<sup>th</sup> Gatewood and 34<sup>th</sup> Woodlawn. 21<sup>st</sup> Greenleaf, K96 & Oliver, and Pawnee & Webb are all in the CIP for future installations.

Arterial sidewalks and wheelchair ramps will also be focused on in 2007. There is currently \$450K for these projects with \$400K reserved for the wheelchair ramps. The City is under mandate to have these wheel chair ramps built by July 2007, so **Paul** will come back to the DAB with a comprehensive list of locations so that the work can be prioritized.

**Board members** had questions for **Paul** in regards to the number of traffic studies completed in relationship to the proposed Wal-Mart at Kellogg and Oliver and what the traffic impact would be from Kellogg to Central. **Paul** explained that Wal-Mart hired a traffic engineer to study the site and determined that projected peak hour volumes would be 29 vehicles in the am and 59 vehicles in the pm. The study projects 6,655 trips generated per day by the Wal-Mart site. Of these trips 23% were projected to come from the north on Oliver. The 23% equates to 1,530 vehicles per day. **Board members** thought those numbers were low and did not reflect the actual increase in traffic.

The **Board** thanked **Paul** for his time.

**Action Taken:** Receive and file.

## 5. Community Education

**Patricia Houston and Debbie Nguyen, Community Educators,** provided the Board with information in regards to the services that were available through this program. **Patricia** discussed the Community Education mission: “It is a working partnership of government, businesses, social agencies, schools and communities to address the needs of the Wichita citizens through lifelong learning programs that improves the quality of life for individuals, families and neighborhoods.”

The Community Education Principles:

**Lifelong Learning:** Learning begins at birth and continues until death. Formal and informal learning opportunities should be available to residents of all ages in a wide variety of community settings.

**Responsiveness:** Public institutions have a responsibility to develop programs and services that respond to the continually changing needs and interests of their constituents.

**Self-help:** People are best served when their capacity to help themselves is encouraged and enhanced. When people assume ever-increasing responsibility for their own well-being, they acquire independence rather than dependence.

**Partnerships & Collaborations:** Organizations and agencies that operate for public good can use their resources, meet their own goals, and better serve the public by establishing close working relationships with Community Education.

**Maximum Use of Resources:** The physical, financial and human resources of every community should be interconnected and used to efficiently meet the diverse needs and interest of the community.

**Localization:** Services, programs, events, and other community involvement opportunities that are brought closest to where people live have the greatest potential for a high level of public participation. Whenever possible, these activities should be decentralized to locations of easy public access.

**Patricia and Debbie** both expressed how they wanted to take this opportunity to introduce themselves and the CE model to the district and that they are delighted to extend these services to the community. Should anyone have any classes that they would like to teach and/or participate should contact one of the following Community Educators: Patricia Houston, 303-8017; Debbie Nguyen, 303-8031; or Martha Sanchez, 303-8036.

The **Board** thanked **Patricia and Debbie** for their time.

**Action Taken:** Receive and file.

## 6. Belle Terre South 2<sup>nd</sup> Addition

**Shawn Mellies, Public Works Engineer**, presented the Board with information on the petition submitted for the proposed sewer line, water line, and paving at the Belle Terre South 2<sup>nd</sup> Addition.

The Sanitary Sewer petition was submitted to allow for construction of a lateral sanitary sewer to serve Block 1, Lots, 8,9, and 10, Belle Terre 2<sup>nd</sup> Addition. That said improvement between aforesaid limits is constructed with plans and specifications to be furnished by the City Engineer, drainage to be installed where necessary. 100% of the resident owners and 64% of the improvement area signed the Sanitary Sewer petition. The estimated cost of the improvement is \$25,000 and the cost will be assessed to the improvement as a special assessment.

The Water Distribution System petition was submitted to have a water distribution system constructed, including necessary water mains, pipes, valves, hydrants, and appurtenances to serve the area Block 1, Lots 9,10, and 11, Belle Terre 2<sup>nd</sup> Addition. 100% of the resident owners and 65% of the improvement area signed the petition. The estimated cost of the improvement is \$10,000 and the cost will be assessed to the improvement as a special assessment.

The paving petition was submitted to allow for constructed pavement on Grand Mere Ct., west of the cul-de-sac. That said pavement between aforesaid limits be constructed with plans and specifications to be furnished by the City Engineer and drainage to be installed where necessary. 100% of the resident owners and 75% of the improvement area signed the petition. The estimated cost of the improvement is \$40,000 and the cost will be assessed to the improvement as a special assessment.

The **Board** motioned to approve the petitions in accordance to staff recommendation.

**Action Taken:** Board approved recommendation. (Goodpasture:Hesse 11-0)

Due to City staff (Donna Goltry – MAPD and Kurt Schroeder – Central Inspection) presenting at other District Advisory Board meetings the Environmental Services presentation was moved up.

## 7. **Environmental Services**

**Don Henry, Environmental Services Manager**, presented the Board with information on the 2006-year end service report. **Don Henry** explained the structure of Environmental Services and what they are responsible for. The services that fall under this department are:

### Administrative Services

1. Over 125,000-phone calls/year (complaints, requests for services, information, etc) – 4 staff positions support these calls
2. Process over 2,900 invoices totaling \$730,000 in fees and /or services and permits/licenses
3. Process over \$100,000 in Certified and First class mail – this process is used to send out notice of violations

### Animal Services and Shelter

1. 28,362 requests for animal service response (down 19.3% from 2005)

2. 4,429 citations and warnings issued 8,200 animals housed at shelters; 2,094 animals redeemed or adopted

#### Child Care Licensing

1. 2,531 total field contacts
2. 1,193 licensing inspections conducted
3. 838 complaints investigated

#### Food Protection and Tobacco Control

1. 3,900 inspections conducted for 2,346 food establishments in Wichita & Sedgwick Co.
2. 93.4% of restaurants in substantial compliance

#### Environmental Code Enforcement and Cleanup (Abatement)

1. 16,775 total premise condition cases received
2. 9,058 properties brought into compliance
3. Over 2,600 vehicles removed or repaired

District II has the lowest number of environmental cases out of all districts. District II makes up 7% of the total cases. There were 859 total cases filed in District II. Of the 859 cases, 775 have been closed with 84 cases remaining.

The **Board** had general questions about who picks up dead deer's, and why do you have to pay extra if you exceed the allowable number of dogs and/or cats? **Don Henry** advised that Environmental Services would come out and pick up a deer just call in and report the location. He also explained that the additional cost per pet is to cover administrative cost.

The **Board** thanked **Don** for his time.

**Action Taken:** Comments Provided.

### **8. LED Signage**

**Kurt Schroeder, Superintendent of Central Inspection**, presented information to the **Board** about certain types of illuminating advertising signs, primarily those that use what is known as "LED", "plasma" or "wedge base" technology to create changeable copy, animation and moving graphics.

This relatively new technology is still evolving, but has seen significantly increased use in the Wichita market over the past 3-4 years. These signs, while significantly more energy efficient than older, incandescent bulb-lighted signs, are also significantly brighter, with greater technological ability for copy change, movement and graphic animation.

Like Wichita, many jurisdictions with sign regulations have no specific controls regarding LED-type signs, particularly with respect to brightness and/or light intensity. Most jurisdictions, like Wichita, allow "electronic message center" and/or "electronic variable message" signs that permit electronically changeable copy, moving copy and/or animation. Based on staff research and reviews with the industry, several alternate approaches were developed by staff (with input from industry representatives). Other issues/considerations were also discussed including: (1) traffic safety issues; (2) whether or not existing LED signs affected by any new regulation should be "grandfathered" (allowed to remain as legal non-conforming signs); (3) whether

special or not special consideration/regulation should be developed for LED signs in or within environs of historic districts and/or buildings; and (4) whether or not there should be minimum setback requirements for LED signs from property lines.

Staff recommended three (3) possible approaches to developing some regulation for LED signs:

**Aggressive approach:** Animated, moving or changing signs are not allowed, except in very limited situations (for example, no more than one copy change per hour), and/or by special permit approval/hearing process.

**Moderate/cooperative approach:** with focus on front-end application requirements, and more general code language regarding light intensity and/or message change/animation rate standards.

**Voluntary approach:** local industry commitment to better manage and control such signs, and to educate sign owners/businesses, local industry commitment to work with staff cooperatively to resolve/reduce specific complaints.

**Board members** expressed concern with setback requirements, possibly requiring businesses to turn off flashing lights at midnight, especially when a business is adjacent to a residential area.

**Mr. Leigh**, 402 S. Linwood, advised that in the current regulations that any business that is within 150 feet (adjacent) of a residential property must turn there signs off between the hours of 11p.m. and 7a.m.

**Randy Qubic**, provided the **Board** with details from a study conducted by the federal highway administration in 1980 that concluded that there was no critical evidence negatively impacting road safety and that the study was then reviewed again in 2002 and it was no disputed that LED signage has any negative impact of driving safety.

**Board members** questioned whether or not the study related to the current LED signage today and was it only covering highway and city traffic. **CM Schlapp** commented that the signs seem to be fair game, but that it is the user that is causing the problem. **Board members** recommended (1) that an ordinance be created using the proposed moderate/cooperative approach, (2) no business should be grandfathered – those business should be given an allotted amount of time to come into compliance with the ordinance, (3) required setbacks should be established from the road and not the property line, and (4) a maximum light intensity requirement should be set.

The **Board** thanked **Kurt Schroeder** for his time.

**Action Taken:** Comments provided.

#### 9. CUP2006-00054

**Donna Goltry, Planning Department**, presented the **Board** with information on the zoning request to relocate the garden center and reduce parking requirement for portion of Parcel A. The garden center will be moved from East to South of the fuel center, North of the store. The parking will be reduced, putting the store parking 5% below the code requirement.

Based on these factors, plus the information available prior to the public hearing, staff recommends the request DP-41 Amendment #3 be APPROVED subject to the following conditions:

1. The location of the seasonal garden center shall be substantially in conformance to the attached site plan and otherwise in conformance with the conditions of approval of DP-41 Amendment #2.
2. Parking requirements may be reduced by a maximum of 25 percent of the UZC requirements of Article IV, Section IV-A.
3. Any major changes in this development plan shall be submitted to the Planning Commission and to the Governing Body for their consideration.
4. The transfer of title of all or any portion of the land included within the Community Unit Plan does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land for commercial development and be binding upon the present owners, their successors and assigns, unless amended.
5. The applicant shall submit 4 revised copies of the C.U.P. to the Metropolitan Area Planning Department within 60 days after approval of this case by the Governing Body, or the request shall be considered denied and closed.

The **Board** motioned to approve the zoning request in accordance with the staff recommendation.

**Action Taken: Board** approved the zoning request. (Frutigier:Mollhagen 9-0 )

**\*\*Two Board members had left the meeting, this is the reason for the 9-0 vote\*\***

### **BOARD AGENDA**

#### **10. Updates, Issues, and Reports**

No items submitted.

**With no further business, the meeting adjourned at 9:20 p.m.**

The next DAB II meeting will be **February 5, 2007** at the Rockwell Branch Library.

Respectfully Submitted,

LaShonda Porter, Neighborhood Assistant